

J. Daniel Hoven  
Chad Adams  
Megan Wampler  
Browning, Kaleczyc, Berry & Hoven, P.C.  
800 N. Last Chance Gulch, Ste. 101  
Helena, Montana 59624  
(406) 443-6820 (p)  
(406) 443-6883 (f)  
dan@bkbh.com  
chad@bkbh.com  
meganw@bkbh.com

*Attorneys for Evernorth Health, Inc.*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
HELENA DIVISION**

THE STATE OF MONTANA, EX.  
REL., AUSTIN KNUDSEN,  
ATTORNEY GENERAL,

Plaintiff,

v.

ELI LILLY AND COMPANY, et al.,

Defendants.

Case No. 6:22-CV-00087-BMM-JTJ

Hon. Brian Morris

**EVERNORTH HEALTH, INC.'S  
MOTION TO DISMISS FOR LACK  
OF PERSONAL JURISDICTION**

Pursuant to Federal Rule of Civil Procedure 12(b)(2), Defendant Evernorth Health, Inc. (“Evernorth”) moves to dismiss Plaintiff’s claims against Evernorth contained in Plaintiff’s First Amended Complaint on the grounds that the Court lacks personal jurisdiction over it.

**WHEREFORE**, for the reasons provided in the accompanying brief and exhibit attached thereto, Evernorth respectfully requests that this Court dismiss Plaintiff's claims against it in their entirety.

Dated: February 23, 2023

Respectfully submitted,

/s/Chad E. Adams

J. Daniel Hoven  
Chad E. Adams  
Megan E. Wampler  
BROWNING, KALECZYC, BERRY &  
HOVEN, P.C.  
800 N. Last Chance Gulch, Ste. 101  
Helena, MT 59601  
(406) 443-6820 (p)  
(406) 443-6883 (f)  
dan@bkbh.com  
chad@bkbh.com  
meganw@bkbh.com

Jason R. Scherr (*pro hac vice*)  
Patrick A. Harvey (*pro hac vice*)  
MORGAN, LEWIS & BOCKIUS  
1111 Pennsylvania Ave. NW  
Washington, DC 20004  
(202) 739-3000 (p)  
(202) 739-3001 (f)  
jr.scherr@morganlewis.com  
patrick.harvey@morganlewis.com

*Attorneys for Evernorth Health, Inc.*